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Post-'Windsor' Marriage Applications Spike in D.C.

The court has added staff and resources to keep up with the demand.

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(L-R) Kathryn Hamm and Amy Walter, both from Virginia, apply for a marriage license at the District of Columbia Superior Court

Photo: Diego M. Radzinski / NLJ



Zavos Juncker Law Group's Michele Zavos



D.C. Superior Court clerk Duane Delaney

Photo: Diego M. Radzinski / NLJ

Until this summer, Susan Walker and Suzanne Skelley didn't plan on getting married. The two women had been together for 20-plus years — their commitment was clear, Walker said, and a marriage wouldn't carry the same legal standing as that of heterosexual couples.

That changed in June, when the U.S. Supreme Court declared the Defense of Marriage Act of 1996 unconstitutional. The law denied federal benefits to legally married same-sex couples. Once it was struck down, Walker said, she and Skelley, both federal employees who live in Washington, decided to tie the knot. Walker said her reaction to the ruling was "absolute joy."

Walker and Skelley weren't alone. On September 13, the District of Columbia Superior Court announced it was expanding operations in the marriage bureau to keep up with a spike in marriage license applications following the high court's ruling in *U.S. v. Windsor*. Walker and other couples at court on September 17 applying for a license said the process was fast — a change from the long lines other couples faced during the first crush earlier in the summer.

Kathryn Hamm, who applied for a license last week with her partner Amy Walter, said they had a positive experience. Hamm, president of gayweddings.com, and Walter, a journalist and political analyst, live in Virginia, which doesn't recognize same-sex marriage. They had a wedding in 1999, but Hamm said *Windsor* meant there were tax and other legal reasons to marry in Washington. "It was time to take that step," she said.

Marriage license applications more than doubled following the *Windsor* ruling. According to the court, 462 couples applied in June, compared with 977 in July and 908 in August. This month, the court transferred three employees to the marriage bureau, opened a new room to process license applications and added a second marriage ceremony room.

There were "far too many people waiting far too long," said Duane Delaney, the clerk of the court. People applying for licenses were waiting hours at a time, he said, and the calendar for civil ceremonies at the courthouse was too full.

Since legalizing same-sex marriage in 2010, Washington has become a popular spot to get married, said Michele Zavos, an attorney at the Zavos Juncker Law Group in Silver Spring, Md., who advises couples on same-sex marriages.

Washington lacks a residency requirement to get married. Zavos said she also advises couples that the city allows nonresident same-sex couples married in Washington to apply for divorce if their home states don't allow it.

The Superior Court saw a jump in applications after same-sex marriage became legal in March 2010. From March 2009 to March 2010, there were 3,101 marriage license applications. From March 2010 to March 2011, that number more than doubled, to 6,604 applications. The numbers eventually tapered off — there were 5,679 applications filed from March 2012 to March 2013.

'SURPRISED — STUNNED'

The Reverend Jeff Maszal was also at the marriage bureau last week and said the empty chairs in the waiting rooms were a sign the recent changes were helping. Maszal applies for licenses as a proxy for out-of-state couples. Since *Windsor*, he said, he had worked with couples from around the world.

"I am still surprised — stunned at how emotional it is for couples that the Supreme Court overturned [the Defense of Marriage Act]," he said. Delaney said it was unlikely the administrative changes would be permanent. He expected the numbers to drop, as they did after the jump in 2010. He pointed to legislative developments that could also ease the court's burden, including a law passed this year allowing anyone to register to officiate a single wedding.

The court, Delaney said, also supported legislative changes that would no longer require couples to pick up their license three days after applying. "I've got thousands of people coming back just to pick up their license," he said.

Walker said she had a number of friends who also decided to get married after the Supreme Court announced the *Windsor* decision. "For people who really have lived their lives without the possibility [of marriage], it's a real transition," she said. "It's a good transition."

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